



November 2, 1999

Mr. James R. Hines
Assistant General Counsel
Office of the Governor
State of Texas
P.O. Box 12428
Austin, Texas 78711

OR99-3099

Dear Mr. Hines:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 127826.

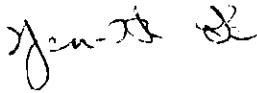
The Office of the Governor received an open records request for information concerning sections 2.20 and 3.01(d) of House Bill 2180. You contend the requested information is excepted from required public disclosure pursuant to sections 552.106(b) and 552.111 of the Government Code.

Section 552.106(b) of the Government Code protects an internal bill analysis or working paper prepared by the governor's office for the purpose of evaluating proposed legislation. Section 552.106 excepts from public disclosure policy judgments, recommendations, and proposals involved in the preparation of proposed legislation. Open Records Decision No. 460 (1987). The purpose of the exception is similar to that of section 552.111: to encourage frank discussion on policy matters between the subordinates or advisors of a legislative body and the legislative body; it protects the internal "deliberative" or policy-making processes of a governmental body. *Id.*

You submitted to this office for review an internal bill analysis that you contend may be withheld from disclosure in its entirety pursuant to section 552.106(b). We agree that the internal bill analysis is advice, opinion, and recommendation reflecting policymaking processes. Thus, the entire internal bill analysis may be withheld from disclosure under section 552.106(b).

Because section 552.106(b) is dispositive, we do not address your section 552.111 claim. We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read "Yen-Ha Le", with a stylized flourish at the end.

Yen-Ha Le
Assistant Attorney General
Open Records Division

YHL/ljp

Ref.: ID# 127826

Encl. Submitted document

cc: Ms. Pat Tulinski
McGehee & Pianelli, L.L.P.
1225 N. Loop West, Suite 810
Houston, Texas 77008-1781
(w/o enclosures)